

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

HAYNES, Barton F.

Serial No. 09/956,940

Filed: September 21, 2003

Title: USE OF SYNTHETIC PEPTIDES TO INDUCE TOLERANCE TO PATHOGENIC T  
AND B CELL EPITOPES OF AUTOANTIGENS OR INFECTIOUS AGENTSAtty Dkt. 1579-601  
C# M#

Group Art Unit: 1644

Examiner: Schwadron, R.

Date: December 16, 2003

AF/1644  
image

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

 **Correspondence Address Indication Form Attached.****F**ees are attached as calculated below:

Total effective claims after amendment	0	minus highest number			
previously paid for	20	(at least 20) =	0	x \$ 18.00	\$ 0.00
Independent claims after amendment	0	minus highest number			
previously paid for	3	(at least 3) =	0	x \$ 86.00	\$ 0.00
If proper multiple dependent claims now added for first time, add \$290.00 (ignore improper)					\$ 0.00
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$420.00/2 months; \$950.00/3 months)					\$ 0.00
Terminal disclaimer enclosed, add \$ 110.00					\$ 0.00
<input type="checkbox"/> First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$770.00)					\$ 0.00
<input type="checkbox"/> Please enter the previously unentered , filed					
<input type="checkbox"/> Submission attached					

**Subtotal** \$ 0.00

If "small entity," then enter half (1/2) of subtotal and subtract  
 Applicant claims "small entity" status.  Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee (\$180.00) \$ 180.00

Assignment Recording Fee (\$40.00) \$ 0.00

Other: \$ 0.00

**TOTAL FEE TO BE DEBITED** \$ 180.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.  
By Atty: Mary J. Wilson, Reg. No. 32,955

Signature: Mary J. Wilson

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of  
HAYNES, Barton F.  
Serial No. 09/956,940



Confirmation No. 4369  
Atty. Ref.: 1579-601  
Group: 1644  
Examiner: Schwadron, R.

Filed: September 21, 2001  
For: USE OF SYNTHETIC PEPTIDES TO INDUCE  
TOLERANCE TO PATHOGENIC T AND B CELL  
EPITOPES OF AUTOANTIGENS OR INFECTIOUS  
AGENTS

\* \* \* \* \*

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

December 16, 2003

Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

1. **PTO-1449 Pursuant to 37 CFR 1.97(b)**  
[within 3 months of filing or prior to 1st Office Action on the merits]  
N/C
- 2.(a) **Statement Pursuant to 37 CFR 1.97(c)**  
[before Final Office Action or Allowance (requires Rule 97(e)  
Statement or Rule 17(p) fee)]  
N/C
- 2 .(b) **Fee Payment Pursuant to 37 CFR 1.97(c)**  
[before Final Office Action or Allowance (requires Rule 97(e)  
Statement or Rule 17(p) fee)]  
\$180.00

**It has been noted that the Information Disclosure Statement filed December 12, 2003 erroneously indicated in item 1 that the submission was being made within 3 months of filing or prior to 1<sup>st</sup> Office Action on the merits. In item 6, however, it was properly indicated that the submission was made in accordance with 37 CFR 1.97(c) and the coversheet specifically authorized debiting of the undersigned firm's account in the amount of \$180.**

3. **Pursuant to 37 CFR 1.97(d)**  
[after Final Office Action or Allowance (requires Rule 97(e)  
Statement and Rule 17(p) fee), but before final fee payment]  
\$180.00

12/18/2003 MAHMED1 00000081 141140 09956940

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The following are submitted in the above-identified application in compliance with 37 C.F.R. §§ 1.97 and 1.98:

4. A list of documents on Form PTO-1449 together with copies of each identified document and a translation or a concise explanation of each non-English language document (such as a Search Report) is enclosed herewith. **The Examiner's attention is also directed to the existence of U.S. Application No. 09/960,717, filed September 24, 2001 (and to the division thereof Application No. 10/646,729, filed August 25, 2003), which corresponds to WO 02/024149 which is of record. The Examiner's attention is also directed to the existence of U.S. Application No. 09/775,805, which corresponds to WO 01/56355 which is of record.**

This paper is submitted in accordance with:

5. 37 CFR 1.97(b): [within 3 months of filing or prior to 1st Office Action]
6. 37 CFR 1.97(c): [before Final Office Action or Allowance, whichever is earlier]; and
- a) The required Statement made in item 8 below; or
- b) The \$180.00 fee specified in 37 CFR §1.17(p) for submission of this Information Disclosure Statement is authorized in item 9 below.
7. 37 CFR §1.97(d): [after Final Office Action or Allowance (requires Rule 97(e) Statement and Rule 17(p) fee), but before final fee payment]; and
- a) The fee (\$180.00) required by 37 CFR §1.17(p) is submitted herewith; and
- b) The required Statement is stated in item 8 below.
8. Statement under 37 CFR 1.97(e)
- a) The undersigned attorney of record hereby certifies under 37 C.F.R. §1.97(e) that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement (each item contained in this IDS was the first citation of that item by a foreign patent office in a counterpart foreign application which occurred no more than three months prior to the filing of this IDS); or

HAYNES, Barton F.  
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- b) No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement, after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
9. Please charge all deficiency fees associated with the submission of this Information Disclosure Statement and any other fees applicable to this application to Deposit Account No. 14-1140. An original and one (1) copy of this document are enclosed.

Respectfully submitted,  
NIXON & VANDERHYE P.C.

By: Mary J. Wilson  
Mary J. Wilson  
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<b>INFORMATION DISCLOSURE CITATION</b>		ATTY. DOCKET NO. <b>1579-601</b>	SERIAL NO. <b>09/956,940</b>				
(Use several sheets if necessary)		APPLICANT <b>HAYNES, Barton F.</b>	GROUP				
		FILING DATE <b>September 21, 2001</b>	1644				
<b>U.S. PATENT DOCUMENTS</b>							
*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
	4,689,398	9/1987	Wu et al				
	4,879,212	11/1989	Wang et al				
	4,724,258	2/1988	Yoshida et al				
	4,663,436	5/1987	Elder et al				
	4,822,606	4/1989	Snyderman et al				
	4,833,071	5/1989	Wang et al				
	4,525,300	6/1985	Yoshida et al				
<b>FOREIGN PATENT DOCUMENTS</b>				TRANSLATION			
DOCUMENT	DATE	COUNTRY	CLASS	SUBCLASS	YES	NO	
WO 93/06843	4/1993	WIPO					
<b>OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)</b>							
Fox, "No Winners against AIDS", Bio/Technology 12:128 (1994)							
Butini et al, "Comparative Analysis of HIV-Specific CTL Activity in Lymphoid Tissue and Peripheral Blood", Prevention and Treatment of AIDS, pg. 147 (1994) – Abstract J306							
U.S. Patent Application No. 08/599,266, filed February 9, 1996							
U.S. Patent Application No. 10/431,596, filed May 8, 2003							
U.S. Patent Application No. 10/373,592, filed February 26, 2003							
U.S. Patent Application No. 10/664,029, filed September 17, 2003							
*Examiner		Date Considered					

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.

**Form PTO-FB-A820 (Also PTO-1449)**